



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

MAY 29 2007

EPA Region 5 Records Ctr.



323488

**MEMORANDUM**

**SUBJECT:** Notification of Intent to Establish Special Account  
Old Mill Superfund Site, Rock Creek, Ohio  
Site ID 0525, Civil Action No. 4:92 CV 1364

**FROM:** Wendy L. Carney, Chief  
Remedial Response Branch #1

**THROUGH:** Lawrence Schmitt, Chief  
Remedial Response Section #3

**TO:** Melissa Franolich, Office of Site Remediation Enforcement  
Tom DeHoff, Financial Management Division

This memorandum serves to notify your offices that U.S. EPA Region 5 has determined that future oversight needs for the Old Mill Superfund Site (the "Site") would best be met by directing recovery of all future response costs recovered under a March 27, 2002 settlement into a site-specific special account rather than the Superfund Trust Fund.

Future activities at the Site will include long term operation and maintenance of the remedial action at the site until cleanup criteria are met. Under the terms of the March 27, 2002 settlement, potentially responsible parties ("PRPs") must reimburse U.S. EPA for all future response costs not inconsistent with the National Contingency Plan. In January 2000, U.S. EPA established a policy that permits these payments to be placed in a special account established for an individual site even if the settlement does not specifically provide for a special account. Annual payments by the PRPs will be used to fund future oversight activities.

Currently, the PRPs are performing work at the Site related to the Remedial Action in accordance with the March 27, 2002, Consent Decree. The PRPs have previously paid toward the Trust Fund, so it is requested that all future payments be directed into this Site's special account.

The Region 5 Site Spill ID number for the Site is 0525. If you have any questions concerning this request please contact Linda Kern, Remedial Project Manager, at 312/886-7341 or Nola Hicks, Regional Counsel at 312/886-7949. Thank you.

cc: J.P. Singh (SR-6J)  
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